

CITY OF TIGARD, OREGON

RESOLUTION NO. 06-75

A RESOLUTION FINALIZING SANITARY SEWER REIMBURSEMENT DISTRICT NO. 36 (SW 93RD AVENUE) AND AMENDING THE PRELIMINARY CITY ENGINEER'S REPORT CONTAINED IN RESOLUTION NO. 06-16.

WHEREAS, on March 28, 2006, the City Council approved Resolution No. 06-16 to form Sanitary Sewer District No. 36 to construct sewers in SW 93rd Avenue in accordance with TMC Chapter 13.09; and

WHEREAS, Resolution No. 06-16 included the City Engineer's Report that included an estimated construction and total project cost; and

WHEREAS, construction of the sewer improvements has been completed, final costs have been determined, and the City Engineer's Report has been revised to include the final costs as required by TMC 13.09.105 (1); and

WHEREAS, the property owners within the district have been notified of an informational hearing in accordance with TMC 13.09.060 and an informational hearing was conducted in accordance with TMC 13.09.105; and

WHEREAS, the City Council has determined that the proposed revisions to the City Engineer's Report, as recommended by the City Engineer, are appropriate.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

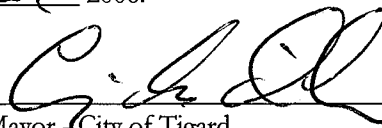
SECTION 1 The Final City Engineer's Report titled "Sanitary Sewer Reimbursement District No. 36", attached hereto as Exhibit A, is hereby approved.

SECTION 2 The City Engineer's Report as presented in Resolution No. 06-16 is hereby amended by the attached Final City Engineer's Report (Exhibit A).

SECTION 3 The City Recorder shall cause a copy of this resolution to be filed in the office of the County Recorder and shall mail a copy of this resolution to all affected property owners at their last known address.

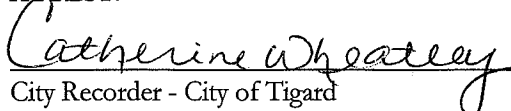
SECTION 4 This resolution is effective immediately upon passage.

PASSED: This 28th day of November 2006.



Mayor - City of Tigard

ATTEST:



City Recorder - City of Tigard

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Exhibit A
City Engineer's Report
Sanitary Sewer Reimbursement District No. 36
(SW 93rd Avenue)

Background

This project was constructed and funded under the City of Tigard Neighborhood Sewer Extension Program (NSEP). Under the program, the City of Tigard installed public sewers to each lot within the project area. At the time the property owner connects to the sewer, the owner must pay a connection fee, currently \$2,735, and reimburse the City for a fair share of the cost of the public sewer. There is no requirement to connect to the sewer or pay any fee until connection is made. In addition, property owners are responsible for disconnecting their existing septic systems according to Washington County rules and for any other modifications necessary to connect to the public sewer.

Project Area - Zone of Benefit

Serving the 28 lots in the following table required the extension of an existing sewer in SW McDonald Street south to Elrose Court and Mountain View Lane. Two of the houses on Elrose Court are too low to be provided with gravity service to the basements. Using customary methods, the sewer cannot be installed at a sufficient depth to serve the basements of houses at 9195 and 9225 SW Elrose Court. To avoid excessive costs, the sewer only provided service to the upper floors of the houses. If an owner chooses to connect to the sewer, service to the basement will require pumping. Another option is to serve the upper floor with the sewer and continue to use the septic system to serve the basement. These two owners have been notified of this service limitation.

The project provided sewer service to a total of 28 lots as shown on Exhibit Map B.

Cost

The final cost for the sanitary sewer construction to provide service to the twenty eight lots is \$453,569.00. Engineering and inspection fees amount to \$61,231.82 (13.5%) as defined in TMC 13.09.040(1). The final total project cost is \$514,800.82. This is the amount that should be reimbursed to the sanitary sewer fund as properties connect to the sewer and pay their fair share of the total amount. However, the actual amount that each property owner pays is subject to the City's incentive program for early connections.

In addition to sharing the cost of the public sewer line, each property owner will be required to pay a connection and inspection fee, currently \$2,735, upon connection to the public line. All owners will be responsible for all plumbing costs required for work done on private property.

Reimbursement Rate

All properties are zoned R-4.5 but vary in lot size from about fifteen thousand to twenty seven thousand square feet as can be seen in the following list of lots. Therefore, it is recommended that the total cost of the project be divided among the properties proportional to the square footage of each property.

Other reimbursement methods include dividing the cost equally among the owners or by the length of frontage of each property. These methods are not recommended because there is no correlation between these methods and the cost of providing service to each lot or the benefit to each lot.

Each property owner's estimated fair share of the public sewer line is \$1.054905 per square foot of lot served. Each owner's fair share will be limited to \$6,000, to the extent that it does not exceed \$15,000, for connections completed within three years of City Council approval of the final City Engineer's Report following construction in accordance with Resolution No. 01-46 (attached). In addition to paying for the first \$6,000, owners will remain responsible for paying all actual costs that exceed \$15,000. Upon request, payment of costs that exceed \$15,000 may be deferred until the lot is developed, as provided by Resolution No. 03-55 (attached).

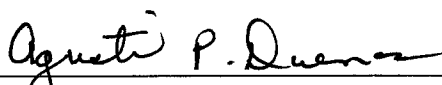
Annual Fee Adjustment

TMC 13.09.115 states that an annual percentage rate shall be applied to each property owner's fair share of the sewer line costs on the anniversary date of the reimbursement agreement. The Finance Director has set the annual interest rate at 6.05% as stated in City of Tigard Resolution No. 98-22.

Recommendation

It is recommended that a reimbursement district be finalized with an annual fee increase as indicated above and that the reimbursement district continue for fifteen years as provided in Tigard Municipal Code (TMC) 13.09.110(5). Fifteen years after the formation of the reimbursement district, properties connecting to the sewer would no longer be required to pay the reimbursement fee.

Submitted November 14, 2006



Agustin P. Duenas, P.E.
City Engineer

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93rd AVENUE
Reimbursement District No. 36
Cost to Property Owners Based on Final Project Cost
October 2, 2006

	OWNER	SITE ADDRESS	TAX LOT ID	AREA (S.F.)	TOTAL COST	PAID BY OWNER	PAID BY CITY
1	ALLEE ANGELA F & JACK C	9265 SW MOUNTAIN VIEW	2S111AB02000	17220.743	\$18,166.24	\$9,166	\$9,000
2	ANDRADE JORGE	9225 SW ELROSE CT	2S111AB01201	22762.447	\$24,012.21	\$15,012	\$9,000
3	BEARD JOHN D & LYNN C CO-TRS	9230 SW ELROSE CT	2S111AB01700	16682.516	\$17,598.46	\$8,598	\$9,000
4	CAUFIELD LARRY L & JUDITH M	9145 SW MOUNTAIN VIEW	2S111AB02300	15098.561	\$15,927.54	\$6,928	\$9,000
5	CRAVEN RICHARD EARL & MARY	9170 SW ELROSE CT	2S111AB01500	19354.052	\$20,416.68	\$11,417	\$9,000
6	FINCK WILLIAM R & MARILYN	9235 SW MOUNTAIN VIEW	2S111AB02100	15099.365	\$15,928.39	\$6,928	\$9,000
7	GERSPACH DIANE JEANNINE	14200 SW 93RD AVE	2S111AB01900	15291.94	\$16,131.54	\$7,132	\$9,000
8	GOODHOUSE JOHN JAY	9345 SW MOUNTAIN VIEW	2S111AB02900	18642.779	\$19,666.35	\$10,666	\$9,000
9	GRIFFIN CHARLES R AND BARBARA K	14175 SW 93RD AVE	2S111AB03000	17133.72	\$18,074.44	\$9,074	\$9,000
10	HERN MICHICO	9340 SW MOUNTAIN VIEW	2S111AB02400	15000.065	\$15,823.64	\$6,824	\$9,000
11	JOHNSON HELEN M	9190 SW MOUNTAIN VIEW	2S111AB03601	15043.5	\$15,869.46	\$6,869	\$9,000
12	KLUEMPKE RICHARD G & ROSEMARY	9380 SW MOUNTAIN VIEW	2S111AB02500	15370.039	\$16,213.92	\$7,214	\$9,000
13	LINDSAY ROY L & CHARMAINE C TR	9185 SW MOUNTAIN VIEW	2S111AB02200	15097.979	\$15,926.93	\$6,927	\$9,000
14	MADISON JEFFREY ALLAN & SUSAN	9033 SW MOUNTAIN VIEW	2S111AB00201	27025.239	\$28,509.05	\$19,509	\$9,000
15	MELLAND ORVILLE E AND LOIS M	9120 SW MOUNTAIN VIEW	2S111AB03701	17438.034	\$18,395.46	\$9,395	\$9,000
16	OGBURN HELENE N	14080 SW 93RD AVE	2S111AB01000	22701.324	\$23,947.73	\$14,948	\$9,000
17	OSHIMA DANIEL K, WATTMAN & MARIAN	9150 SW MOUNTAIN VIEW	2S111AB03602	15048.979	\$15,875.24	\$6,875	\$9,000
18	PETRIN JEROME ALEX & BARBARA	9105 SW MOUNTAIN VIEW	2S111AB00403	17842.871	\$18,822.53	\$9,823	\$9,000
19	RICHARDS JONELLE M	14170 SW 93RD AVE	2S111AB01800	15556.675	\$16,410.81	\$7,411	\$9,000
20	SCHOOLER DAVID K	9420 SW MOUNTAIN VIEW	2S111AB02600	15101.725	\$15,930.88	\$6,931	\$9,000
21	SCHWARZ CHARLES & DIZNEY	14135 SW 93RD AVE	2S111AB03100	15745.921	\$16,610.44	\$7,610	\$9,000
22	SCHWARZER GERTRUD E & PETER H	9330 SW MCDONALD ST	2S111AB03200	25043.000	\$26,417.98	\$17,418	\$9,000
23	SHROCK WALTER W & TRUSTEES	9425 SW MOUNTAIN VIEW	2S111AB02700	15150.467	\$15,982.30	\$6,982	\$9,000
24	SMITH JANE A TRUSTEE	9200 SW ELROSE CT	2S111AB01600	16935.741	\$17,865.59	\$8,866	\$9,000
25	STEINER JOINT LIVING TRUST	9165 SW ELROSE CT	2S111AB01400	15256.928	\$16,094.60	\$7,095	\$9,000
26	VOLK VIRGIL V RUTH	9385 SW MOUNTAIN VIEW	2S111AB02800	15451.783	\$16,300.16	\$7,300	\$9,000
27	WEISHEIT HENRY B & BARTOLEMEA	9080 SW MOUNTAIN VIEW	2S111AB03702	16548.257	\$17,456.83	\$8,457	\$9,000
28	WILLIAMS FAMILY TRUST	9195 SW ELROSE CT	2S111AB01300	19362.333	\$20,425.41	\$11,425	\$9,000
Totals				488007	\$514,800.82	\$262,800.82	\$252,000.00
PROJECT TOTAL (Cost to Owners + Cost to City) =							\$514,800.82

93rd AVENUE
Reimbursement District No. 36
Cost to Property Owners Based on Final Project Cost
October 2, 2006

Final Construction Cost	\$453,569
13.5% for Admin & Eng	\$61,231.82
total project costs	\$514,800.82
total area to be served (S.F.)	488,007
total cost per S.F.	\$1.0549046078

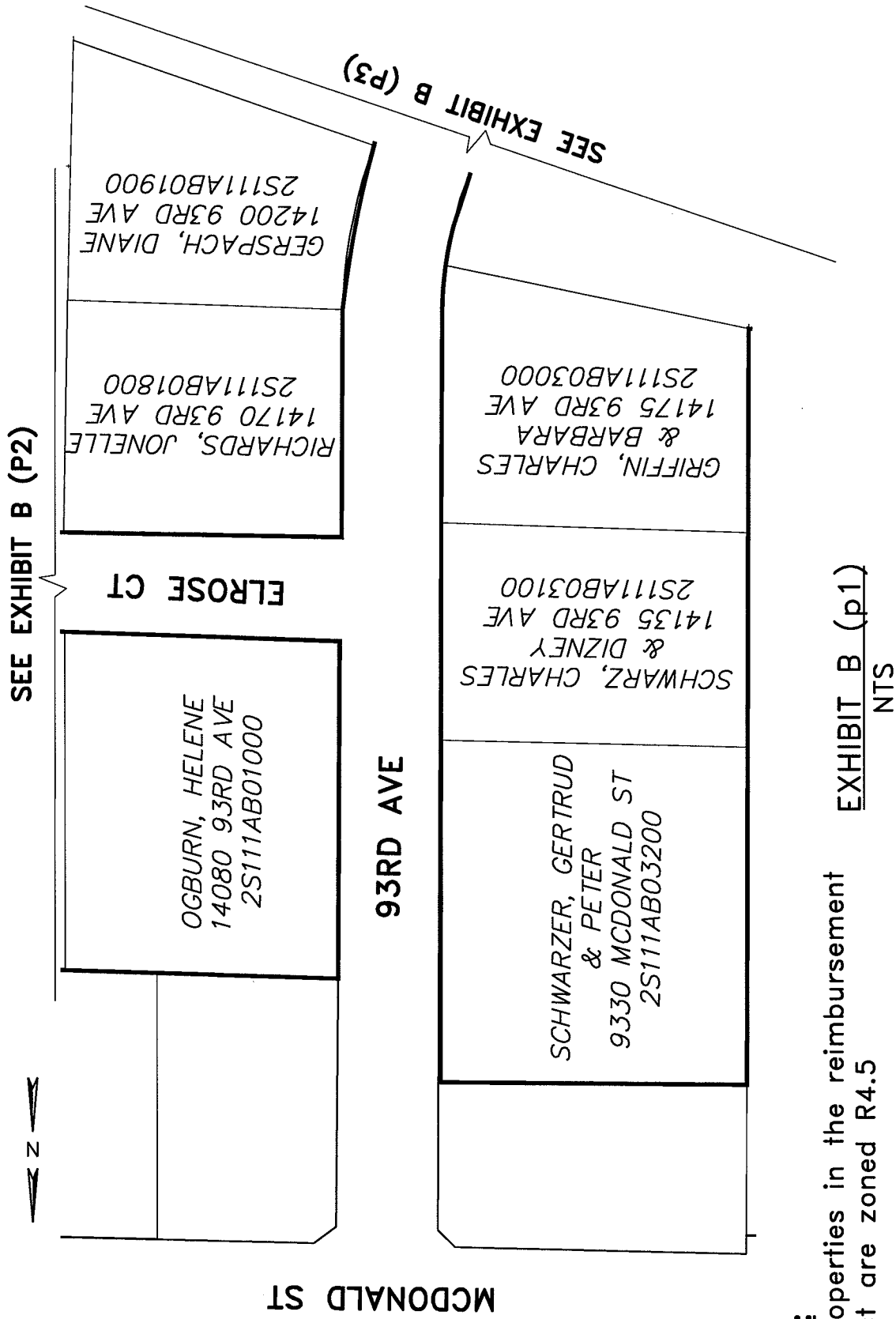
The "Paid by Owner" column shows the estimated fee each owner is required to pay to connect to the sewer. There are no requirements to connect to the sewer or pay any fees until the owner decides to connect to the sewer. The final reimbursement fee will be determined once the construction is complete and final costs are determined.

The amount each property owner will be required to pay will be limited to \$6,000 for connections completed within three years of City Council approval of the final City Engineer's Report following construction, in accordance with Resolution No. 01-46. This amount is shown in the "Paid by Owner" column. The remaining portion of the reimbursement fee that the owner will not be required to pay during this three year period is shown in the "paid by city" column.

Please note that Resolution No. 01-46 also requires the owner to pay any fair share amounts that exceed \$15,000. Consequently, if the final fair share for an owner exceeds \$15,000, the owner would be required to pay \$6,000 plus the amount the fair share exceeds \$15,000. Under Resolution 03-55, payment of the amount in excess of \$15,000 may be deferred until the owner's lot is developed.

The owner would also be required to pay a connection fee, currently \$2,735, at the time of connection to the sewer. In addition, property owners are responsible for disconnecting their existing septic system according to Washington County rules and for any other modifications necessary to connect to the public sewer.

93RD AVE & MOUNTAIN VIEW LN
 FY 2005-06 SANITARY SEWER EXTENSION PROGRAM
 REIMBURSEMENT DISTRICT #36
 A PORTION OF THE NE 1/4 OF SECTION 11 T2S R1W W.M.

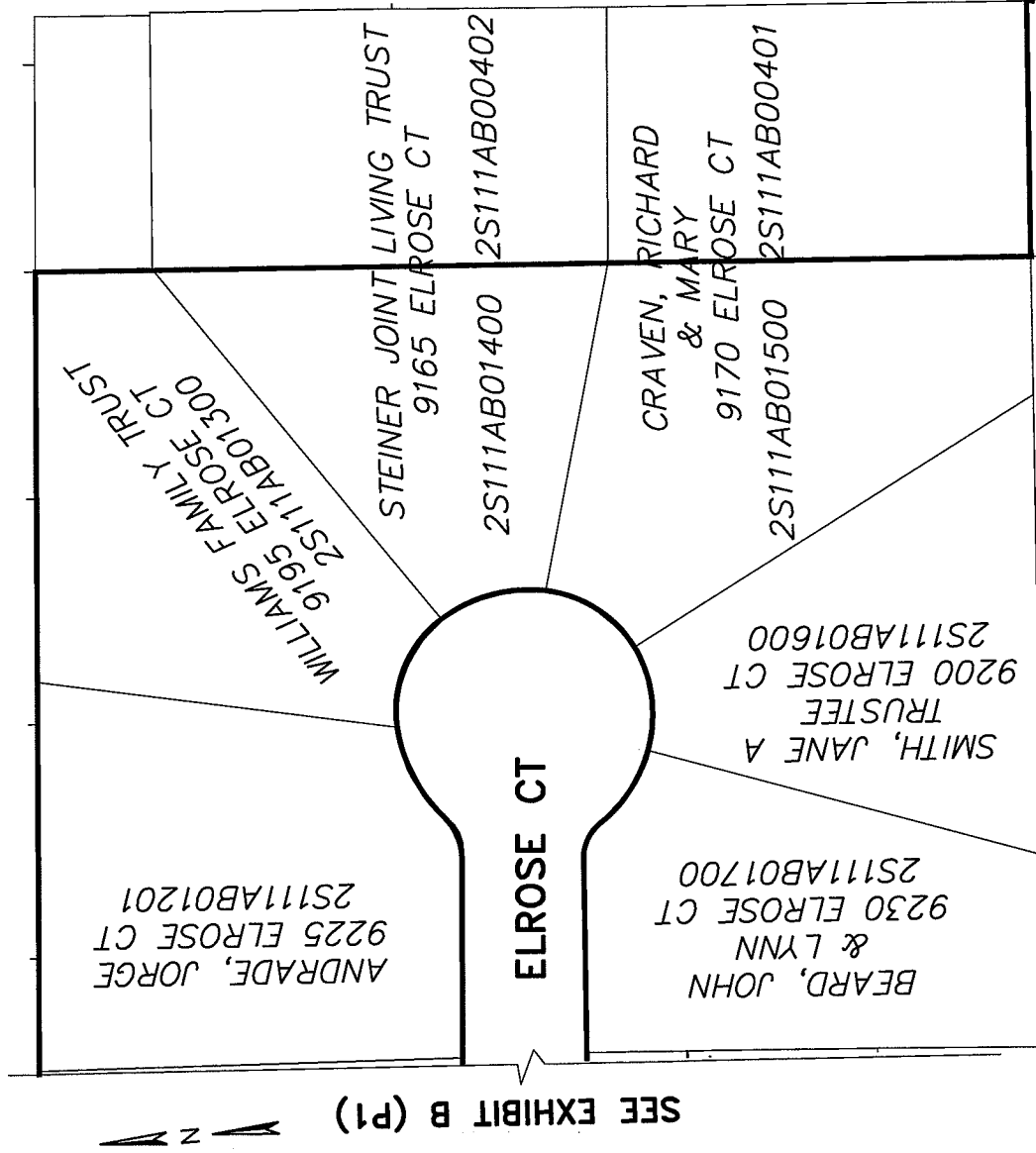


NOTE:
 All properties in the reimbursement district are zoned R4.5

EXHIBIT B (p1)
 NTS

93RD AVE & MOUNTAIN VIEW LN
 FY 2005-06 SANITARY SEWER EXTENSION PROGRAM
 REIMBURSEMENT DISTRICT #36

A PORTION OF THE NE 1/4 OF SECTION 11 T2S R1W W.M.



NOTE:

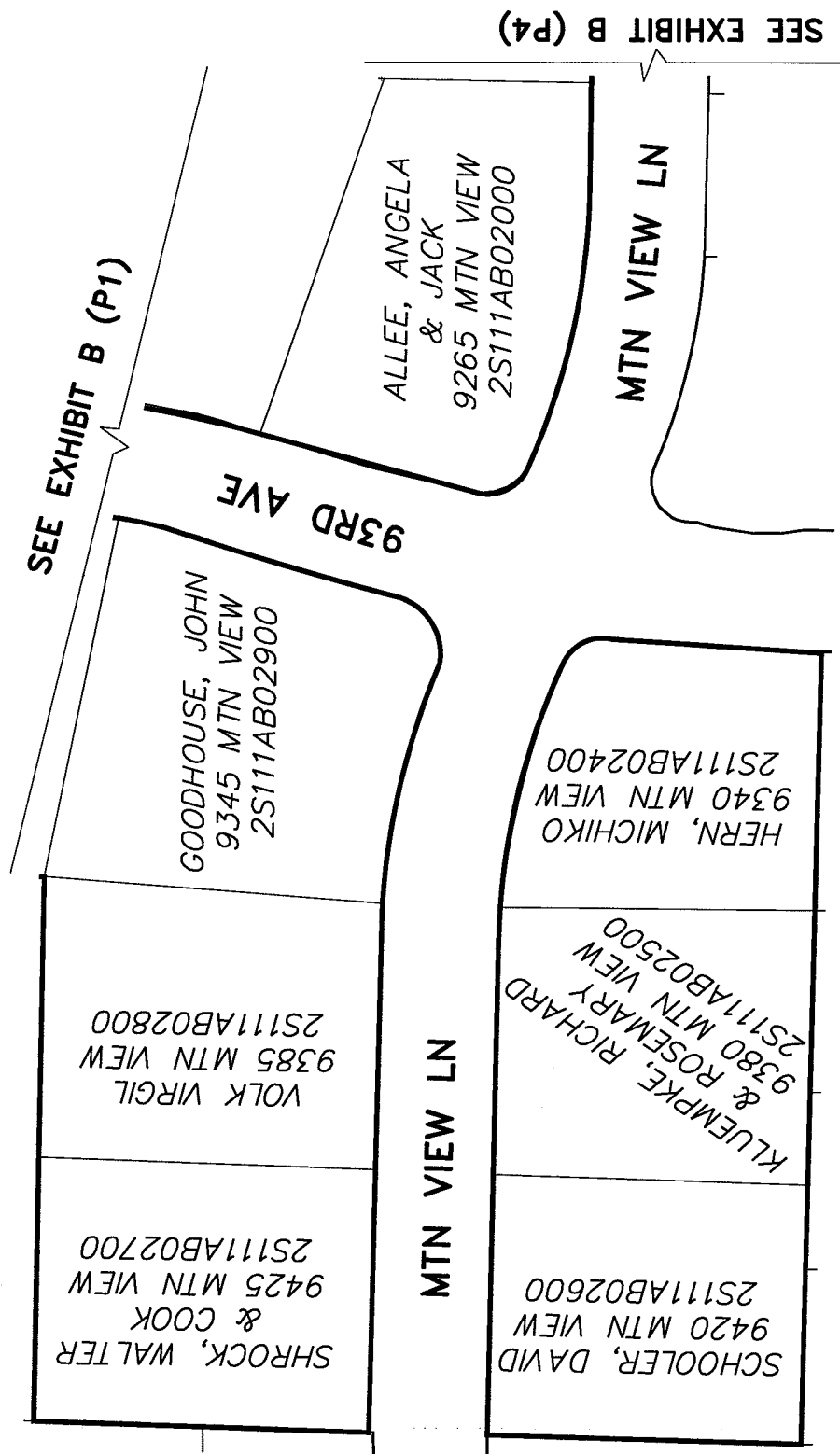
All properties in the reimbursement district are zoned R4.5

EXHIBIT B (p2)

NTS

93RD AVE & MOUNTAIN VIEW LN
 FY 2005-06 SANITARY SEWER EXTENSION PROGRAM
 REIMBURSEMENT DISTRICT #36

A PORTION OF THE NE 1/4 OF SECTION 11 T2S R1W W.M.



NOTE:

All properties in the reimbursement district are zoned R4.5

EXHIBIT B (p3)
 NTS